



Instructional Planning Center

201 East 38th Street
Sioux Falls, South Dakota 57105-5898
(605) 367-7900

Kent Alberty, President
Cynthia H. Mickelson, Vice President
Kate Parker, Member
Carly R. Reiter, Member
Todd Thoeke, Member

Dr. Brian L. Maher, Superintendent

January 14, 2019

VIA EMAIL

Megan Raposa
Argus Leader
mraposa@argusleader.com

Re: Responses to December 2018 survey

Dear Ms. Raposa:

I am in receipt of your open records request dated January 2, 2019. You have made a request for:

“All responses to a Dec. 2018 survey (set to close Jan. 4) asking for input on names for a new middle school and high school. Please include responses to the following survey fields:

1. Please suggest a name for the middle school to be build in SE Sioux Falls
2. Please submit a brief rationale for the name you have suggested.
3. Please suggest a name for the new high school to be build in NW Sioux Falls
4. Please suggest a brief rationale for the name you have suggested.”

RESPONSE:

The District collected the requested survey data as one measure for consideration of the naming committee appointed through the process of District policy FF, Naming Facilities. The raw survey data does not stand alone and is not required of the policy in the naming process. Instead, it is a means for the committee to solicit input from the community as one factor for consideration. The naming committee will develop a recommendation for the school board. The committee will generate a summary to explain the naming committee's determination. Part of the summary will certainly explain the community survey results along with the other factors the committee considered in determining its recommendations to the Board.

The raw survey data is not a public record under the following provisions of South Dakota's open records laws:

- Internal agency record or *information received by agencies that are not required to be filed* with such agencies, if the records *do not constitute final statistical or factual tabulations*, final instructions to staff that affect the public, or *final agency policy or determinations*. 1-27-1.5(24) (emphasis added).
- Drafts, notes, recommendations, and memoranda in which opinions are expressed or policies formulated or recommended are exempt from disclosure. 1-27-1.7

- Documents used for the purpose of decisional or deliberative process. 1-27-1.9

The committee has not yet met, and has therefore, not yet assembled or considered the results of the survey. The committee is set to meet beginning the week of January 14, 2019, and the tentative date to report to the School Board is on January 28, 2019. Upon the finalization of the recommendation to the school board, the District will send the summary to you, and it will be made available on the District's website. Because of the committee timeline, the District requires more than ten (10) days to provide this information to you in order to assemble the information necessary for the committee's consideration and to complete the work of the committee. This additional time requested is in accordance with SDCL 1-27-37(1)(c), (2).

Again, the District requires more time to create a finalized recommendation. The finalized summary will be shared with you when it becomes a public record, and the summary will include an explanation of the survey results. It is estimated that this will occur by the end of January 2019, absent any unexpected delays.

Please refer to South Dakota Codified Law section 1-27-38 regarding your appeal rights.

Sincerely,



Dr. Brian Maher
Superintendent of Schools